Remarks

In response to the Office Action dated July 10, 2008, Applicants respectfully request reconsideration based on the following remarks. Applicants respectfully submit that the claims as presented are in condition for allowance.

Interview Summary

A telephone interview was conducted on September 17, 2008 between Examiner Addy and the undersigned. During the interview the Examiner's interpretation of Rozenblit was discussed in regards to the Office Action's interpretation of Figure 1. The Examiner clarified that the "in-network" comprised figure items 24 and 26 and that the "out-network" comprised figure item 16 and its component parts. No agreement was reached. The Examiner requested written amendments and arguments be submitted.

103 Rejections

Claims 26-28 and 31-50 stand rejected under 35 USC 103(a) as being anticipated by Sayko (US Pat 6,418,210) in view of Rozenblit (US Pat 5,832,072). Applicant respectfully traverses the rejections.

Claims 26-28 and 35-43

Independent claim 26 recites, in pertinent part:

"[a] method for a communication network to restore private communication information to a communication…comprising…receiving, into the network, an outgoing communication from the out-of-network entity; retrieving the private communication information and placing the private communication information into the outgoing communication; and forwarding the outgoing communication to a forwarding destination within the network …"

The Office Action rejects independent claim 26 by asserting that Sayko discloses most of the claim elements but concedes that Sayko fails to describe "receiving, into the network, an outgoing communication from the out-of-network entity; and forwarding the outgoing communication to a forwarding destination within the network". The Office Action proceeds by asserting that Rozenblit cures the conceded discrepancies in Sayko.

In its verbally revised rejection, the Examiner expressly equates the central office

24 and the forwarding destination **26** to the recited "network" (i.e. the "In" network). The Examiner further equates the switching network **16** to the recited out-of network entity. Given this revised interpretation of Rozenblit, the Examiner is asserting that Rozenblit describes receiving into the network **24**, an outgoing communication from the out-of network entity **16**…and forwarding the outgoing communication to a forwarding destination **26** within the network **24**.

However, without conceding that the Examiner's interpretation of Rozenblit is correct but assuming so for the benefit of this argument only, Applicant respectfully asserts that there is no motivation for one of ordinary skill in the art to modify Sayko in view of Rozenblit because such a modification would not have a reasonable chance of success (MPEP 2143.02) without changing the operating principal of Sayko (MPEP 2143.01).

Sayko is concerned with removing private information from an outgoing message from the IP network **110** to an out-of-network entity **PSTN 112**. The private information is saved in a buffer **118** which is specifically described as being located outside the IP network **110**.

Sayko proceeds to describe that a request (i.e. an information request message) from the out-of-network entity **PSTN 112** to the IP network **110** for the private information is **INTERCEPTED** by a gateway controller so that the information may be retrieved from the buffer **118** and sent to the out-of-network entity **112** without the request message entering the IP network **110**. (Col. 4, l. 46-58). The interception is necessary because Sayko describes that the PSTN network **112** using SS7 protocol cannot communicate with the IP network **110** using an IP Protocol . (Col. 1, l. 39-64). The communication protocols are incompatible and there is no translation back into the IP protocol described.

Because the Sayko PSTN **112** cannot communicate directly with IP network **110** since their communication protocols are incompatible, the mere method of passing of a message between the out-of network entity **16** to network **24** as described in Rozenblit would not have a reasonable chance of success. In Rozenblit the protocols are compatible where in Sayko they are not compatible. As such, either Sayko or Rozenblit would need to be modified in order to be combined with a reasonable chance of success.

Merely combining Sayko (incompatible communication protocols) in view of Rozenblit (compatible protocols) would have no reasonable chance of success without modifying one of Sayko or Rozenblit. Therefore, there is no prima facie case of obviousness because there would have been no motivation to combine Sayko in view of Rozenblit. As such, independent claim 26 is allowable over the combination of Sayko and Rozenblit for at least this reason. Independent claims 31, 35, 44 and 47 recite similar subject matter and are allowable for at least the same reasons. Claims 27-30, 32-34, 36-43, 45-46 and 48-50 depend from allowable independent claims 31, 35, 44 and 47 and are allowable for at least the same reasons.

Conclusion

Applicant asserts that the application including claims 26-50 is in condition for allowance. Applicant requests reconsideration in view of the remarks above and further request that a Notice of Allowability be provided. Should the Examiner have any questions, please contact the undersigned.

No fees are believed due. However, please charge any additional fees or credit any overpayment to Deposit Account No. 50-3025.

Respectfully submitted,

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